

OFFICIAL

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: Michigan

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Procedures for Scheduling and Conduct of Standard Surveys

The State has in effect the following procedures for the scheduling and conduct of standard surveys to assure that it has taken all reasonable steps to avoid giving notice.

Michigan Public Health Code:

333.20155 Visits to health facilities and agencies; investigations or inspections; prior notice; misdemeanor; consultation visits; record; periodic reports; access to documents; confidentiality; disclosure and copies of records; delegation of functions; voluntary inspections; forwarding evidence of violation to licensing agency.

(1) Except as provided for clinical laboratories in Section 20511, the Department [Michigan Department of Public Health as the State Survey Agency] shall make annual and other visits to health facilities and agencies covered by this article, other than a licensee under Part 215, for the purposes of survey, evaluation, and consultation. Except for facilities described in Section 20106(1)(f) and (h) [i.e., home for the aged and nursing home], the Department shall determine whether the visits shall be announced or unannounced, except that a complaint investigation shall not be announced and there shall be at least one (1) unannounced visit other than a complaint investigation annually to the facilities described in Section 20106(1)(c) and (d) [i.e., county medical care facility and freestanding surgical outpatient facility]. The Department shall make biennial visits to hospitals for survey and for evaluation for the purpose of licensure. However, this requirement shall not be construed to prohibit the Department from conducting investigations or inspections pursuant to Section 20156 or from conducting surveys of hospitals for the purpose of complaint investigation or federal certification, nor to preclude the State Fire Marshal from conducting annual surveys of hospitals.

(2) Investigations or inspections, other than inspections of financial records of facilities described in Section 20106(1)(f) and (h) [i.e., home for the aged and nursing home], shall be conducted without prior notice to the facility. An employee of a state agency charged with inspecting the facility or an employee of a local health department who directly or indirectly gives prior notice regarding an inspection, other than an inspection of the financial records, to the facility or to an employee thereof, is guilty of a misdemeanor. Consultation visits, not for the purpose of annual or follow-up inspection or survey, may be announced.

(3) The Department shall maintain a record indicating whether visits are announced or unannounced. Information gathered at all visits, announced or unannounced, shall be taken into account in licensure decisions.

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